

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RAFAEL ENRIQUEZ, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-08-3466
§
CITY OF HOUSTON, §
§
Defendant. §

ORDER

The plaintiff, Rafael Enriquez, asks this court to extend the date to respond to the defendant's summary judgment motion. (Docket Entry No. 45). It appears that the plaintiff did not receive the motion until February 24, although it was filed on January 15. The request is granted to the extent of allowing the plaintiff until **March 29, 2010**, to file his response to the summary judgment motion.

The plaintiff has also filed a motion to be allowed to amend his complaint to add an age discrimination claim and to conduct additional discovery, although the deadline for discovery expired on February 10, 2010. (Docket Entry No. 44). The plaintiff has shown no basis for adding a claim at this stage of the case. To do so would require reopening discovery and another round of disposition motions. No good cause showing for the late repleading and resulting delay has been made. Fed. R. Civ. P. 15, 16. The motion for extension of time to add an age discrimination claim and to conduct additional discovery is denied.

Because this court is allowing the plaintiff some additional time to respond to the summary judgment motion, the deadline for the joint pretrial order is reset to **April 23, 2010**. The docket call is reset to **April 30, 2010, at 2:00 p.m.** in Courtroom 11-B.

SIGNED on March 12, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge